

2011 FEB -7 AM 9: 26

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 6348
David Schweikert for Congress and)
Joyce Schweikert, in her official capacity)
as treasurer)

CERTIFICATION

I, Shawn Woodhead Werth, recording secretary of the Federal Election Commission executive session, do hereby certify that on February 01, 2011, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 3-3 to:
 - a. Find reason to believe that David Schweikert for Congress and Joyce Schweikert, in her official capacity as treasurer, violated 2 U.S.C. § 441d(c) and 11 C.F.R. § 110.11(c).
 - b. Approve the Factual and Legal Analysis as recommended in the First General Counsel's Report dated December 16, 2010.
 - c. Authorize conciliation prior to a finding of probable cause to believe.
 - d. Approve the Conciliation Agreement as recommended in the First General Counsel's Report dated December 16, 2010.
 - e. Approve the appropriate letter.

Commissioners Bauerly, Walther and Weintraub voted affirmatively for the motion.

Commissioners Hunter, McGahn II and Petersen dissented.

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2. Decided by a vote of 6-0 to:

Close the file.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther and Weintraub voted affirmatively for the decision.

Attest:

February 4, 2011
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

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